



MONTHLY INDUSTRIAL NEWSLETTER

Official MUA WA Branch Members Update

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**MUA WA Branch
Annual General Meeting
Tuesday, 30th Nov 2021**

Comrades,

There has been a lot happening in the WA Branch this past month with many actions taking place at different sites around the state, the announcement of the government imposed mandatory vaccinations, the tragic loss of one of our MUA members at sea and much more.

COVID IMMUNISATIONS

As you are no doubt aware, on 22 September 2021 the State Government issued new directions under the Public Health Act 2016 called the Exposed Port Worker (Restrictions on Access) Directions that have a direct effect on our membership.

To avoid any doubt, our position is that we support vaccinations as a response to the global pandemic BUT we do not support mandatory vaccinations.

At this stage, our legal advice is that the effect of the directions is that all employees who work at or in any Port in Western Australia will be required to be partially vaccinated by 15 October 2021 and fully vaccinated by 12 November 2021. We are currently seeking advice from Senior Counsel as to whether any legal challenge is available to these directions. We are also having discussions with the State Government about the nature and extent of these directions. However, given the short timeframes involved, members should assume these directions will not be changed.

To that end, we ask any members who hold concerns about getting vaccinated to speak to their doctor or other trusted health professional in the next week. If, after speaking to your doctor or other trusted health professional, you continue to hold concerns about getting vaccinated, we ask you email the office at muawa@mua.org.au and provide us with the following information by 1600 on 1 October 2021:

- Your name;
- Your employer;
- The position in which you are employed; and
- A brief explanation as to why you are unable or unwilling to be vaccinated.

We will then speak to your employer about what arrangements may be able to be put into place in your workplace to continue to accommodate your employment if you are not vaccinated. If your employment can continue to be accommodated, we may then be able to approach the Chief Health Officer and seek exemptions to the operation of the directions.

We will also continue to press Government to deal with the primary source of exposure to Port Workers to COVID-19 by ensuring all foreign crew are tested for COVID and offered an opportunity to be immunised upon entry of foreign crewed vessels into Western Australian ports.

We know these are difficult times for our members, but we are committed to working through this issue to protect our industry and protect our members jobs.

The Maritime Union of Australia WA Branch

A Division of Construction Forestry Maritime Mining & Energy Union

Will Tracey, Branch Secretary
Jeff Cassar, Assistant State Secretary
Jack McCabe, Organiser
Michael Quinn, Organiser

Doug Heath, Deputy State Secretary
George Gakis, Assistant State Secretary
Paul Brett, Organiser
Joel O'Brien, NW Organiser



27th September 2021

Comrades

RE: MUA MAERSK MEMBER – DAVID INGRAM

We are deeply saddened to advise that last Friday 24th of September, MUA member David Ingram went overboard the Maersk Supply Service vessel the Maersk Mover.

Unfortunately, the search and rescue team were not able to locate David and as a result the search was called off over the weekend.

The support provided by all parties has been incredible, as multiple vessels and aircraft were made available to assist in the search. Further, the messages and feedback from the broader MUA family has been amazing.

We have been in contact with David's family and have advised that we will be collecting donations to assist them to travel to Western Australia during this difficult time. Given the harsh border closures currently in place, any financial support will assist the Ingram family immensely. David's family are very touched by the generosity and support coming to them from the MUA and our broader membership.

Any member or vessel wishing to contribute can do so via the account details below:

BSB: 882-000
A/C No: 25133
A/C Name: Fremantle Special Purpose
Ref: D Ingram – "vessel name or individual name"

Once again, if anyone needs to speak with a counsellor or professional – I urge you to get in touch with Hunterlink now. Their number is 1800 554 654.

On behalf of all MUA Officials, our hearts go out to the Ingram family and friends.

In Unity

A handwritten signature in blue ink, appearing to be 'W Tracey', is written over a faint circular stamp.

Will Tracey
MUA WA Branch Secretary

OFFSHORE

There has been plenty going on in the Offshore sector.

The Go Offshore EA was approved by the FWC. The MUA is seeking to appeal this decision and challenge the validity of the EA. The appeal application is being drafted for submission to the tribunal in the first week of October.

We recently met with management from DOF. They still maintained their position in not providing us with the ballot results. There is enough evidence to suggest that the result was an overwhelming NO vote by all departments across the DOF vessels.

Through this bargaining meeting, we advised DOF that if we don't reach an in-principal agreement over the coming weeks, we will be filing for a protected action ballot. It is now up to DOF as to whether they will sit down and engage their workforce on the issues they need resolved in the new agreement or if they will continue to run AMMA's tired and redundant line across the industry. AMMA are great at using various offshore companies and their money as cannon fodder for their ideological war against the workers and their unions in the offshore oil and gas industry.

The MUA recently had a significant LSL win over at MMA which resulted in casuals being eligible to claim LSL subject to the state LSL Act. The implications of this result means that other operators will need to pay their casual crew the LSL accrual.

OSM Australia has found themselves up shit-creek with multiple EA breaches and subsequently there are plenty of prosecutions headed their way.

AOS have a good run of bringing vessels onto the Australian coast that are below Australian standards we expect when our members board. The latest debacle is the DLV 2000 – we are running the issues back through the CC and notifying the relevant authorities of potential Covid breaches in particular.

SVITZER TOWAGE

The National agreement is no closer to getting up with every port under attack while they continually string the small negotiation team along with the last 2 or 3 of the dirty 30 claims and now going back to each port for their individual log of claims to work through.

In the meantime, Geelong is a mess and now Bunbury is to come in on a 'Svitzer Growth' agreement (4-year agreement) that will utilise the belt roster they tried to introduce in Fremantle a few years ago. This agreement would undermine the whole towage industry by setting up a second company to come in and compete with the National agreement in ports where a tender process is underway.



SVITZER LINES & LAUNCHES

The EA is due to expire next year with Svitzer already attempting redundancies. They will try to get the work done by outsourcing the jobs to contractors and then trying to frame it as a loss of work to get their way.

TEEKAY

Although the new Ocean Protector agreement is registered there are some issues on board the vessel that need fixing and it is critical that the delegate structure and dispute procedure are used to keep things on track. The Besant and Stoker have formally come across to Teekay on the fleet agreement brought in by the Protector campaign and Teekay have informed MUA members that 9 vessels will now come under this agreement. This will provide continued work for at least 16 years initially for our seafaring members in an industry we have been working hard to expand through the Teekay agreements.

DP WORLD

Aside from the continued aggro on site around the new EA and management's attempts to ignore the clauses in it the issue of mandated vaccinations is running hot and we are holding members meetings in the office this week. Issues remain due to the lack of genuine consultation around this issue by management and demand for copies of vaccine certificates in breach of the Fair Work ombudsman guidelines.

FREMANTLE PORTS

The Port Authority went early hard and put their substandard non-union EA to the vote. The union opted to leave it up to the workforce to decide whether they wanted to cop the shit-sandwich the FPA was offering. The workforce are clearly a lot smarter than the Port had considered though, and the results were 100% NO (stevedoring) and 97.2% NO (operations) – an overwhelming NO vote and rejection of the Port's position in these negotiations.

It took Jeff Cassar less than five minutes to find several sneaky deletions and disgustingly underhanded changes to clauses that would have set back the membership decades if they'd just voted on the glossy flyers circulated by the port instead of reading through the actual agreement. A new protected action ballot will be lodged this week and the membership wants to remind the port what happens when you make a decision to play dirty.

FPA MEMBERS – PLEASE ENSURE YOU REGISTER YOUR BALLOT ASAP AND

Vote YES!
TO ALL QUESTIONS!



LINX FREMANTLE

Part A Negotiations continue this week with the 2nd round of Part B talks to occur in coming weeks.

PATRICK TERMINAL

Here is a company that is willing to fight tooth and nail to prevent the workforce from helping it to recover paid hours not worked. Management is attempting to kamikaze the business into the ground. The monkeys seem to be running the circus and they appear to only be answering to the clowns over east.

It doesn't appear that anyone at Patrick actually read the EA before they delivered their Christmas wish-list of ways to deliberately sabotage their business, so that they can implement an aggressive raft of ideological change designed to take working conditions back to the dark ages.

Unfortunately for Patrick, even they can't breach the terms of their own EA. As such it looks as though they have to concede a position in Fair Work that will see them abide by the agreement. This means that they will have to pull away from their perverse attempt to make their workforce work a heap of extra days in the roster and more penalty shifts for the same money they get now.



PROGRAMMED INDUSTRIAL MAINTENANCE

EA negotiations have stagnated. Industrial disharmony seems about to step up following a decision by the company not to backfill a position and to make the storeman redundant. Seems to be a common theme on the waterfront in Fremantle.

QUBE FREMANTLE

QUBE are now about to enter the 10th week of strike action in Fremantle. While some issues appear to have been conceded by QUBE, there is still some way to go. The support locally, nationally and internationally from the MUA and broader trade union movement has been phenomenal and has kept the QUBE members in Fremantle fighting for a fair and just agreement against one of the most hostile employers in the country.

UNITED WE STAND!

DONATIONS
to Support the
QUBE Freo Workers
can be deposited into
the account below:

Account Name: QUBE Dispute 2021
BSB: 882 000
A/C No: 100145032
Ref: QUBE "Who donation is from"

CBH (PLANT OPERATORS)

The workforce are preparing for the upcoming EA negotiations which are expected to commence shortly after Christmas. We are collating the workforce claims in the lead-up. It is absolutely vital that we use this opportunity to rectify the issues causing the division between categories of employment on site.

CBH (WORKSHOP)

EA negotiations are well underway. CBH has offered a pathetic 1.5% per year (plus a 0.5% increase in the first year to income protection to align the policy with the plant operators and stevedores). In the context of consecutive high-volume harvests this is an insult to the workforce. Management are urging the workforce to accept their offer, whilst at the same time refusing to budge on non-cost claims. Looks like we are going down a well-worn path.

BAE

The agreement at BAE was finally approved by Fair Work last week and kicks into operation this Friday October 1st. Backpay should flow through in the next pay period. Congratulations to the members down in Henderson.

FBIS FREMANTLE

National EA negotiations have commenced with this outfit involving sites in Queensland, NSW and Victoria as well as here in Fremantle. Companies like Patrick have contracted out the security role since the 1998 waterfront dispute, but over the years the security role has been expanded to absorb numerous stevedoring clerical roles that really should be attracting far better salaries than the pittance these members take home. It really goes to show how broke the system is when companies making gazillions of dollars in profit can exploit workplace laws to get around paying a fair day's coin for a fair day's work.

ALBANY

ABS - ALBANY

Significant changes are beginning to surface in terms of the company structure, as we enter the last year of the EA. CBH don't appear to have a strategy to deal with the loss of experienced management. The whole house of cards is just waiting to fall.

LINXABH - ALBANY

The NERR has been distributed and EA negotiations have commenced. The company has offered a roll-over which the workforce has rejected.

LINXSTEVEDORING - ALBANY

The EA negotiations are underway. Members have organised a meeting and Jeff Cassar will be meeting with them next week to discuss local (Part B) claims

SOUTHERN PORTS - OPERATIONS

We are negotiating with the company to increase manning. We are proposing an additional full-time coxswain.

SOUTHERN PORTS - ADMIN

The EA negotiations have resumed after a break.

SOUTHERN PORTS - PILOTS

The EA is about to go to vote. Jeff will be meeting with the members next week to seek pre-access period endorsement.

SVITZER - ALBANY

The EA negotiations are in full swing and there is increasing pressure to engage in protected action as the company stubbornly continues to try and worm out of a reasonable outcome. Svitzer appear to be distracted by a crude strategy to destabilise the whole towage sector with its 'Svitzer Growth' cheap spin-off intended to compete against the rest of the company and start a race-to-the-bottom.

SOUTHERN PORTS OPERATIONS - ESPERANCE

The EA negotiations have progressed significantly. Jeff is meeting with the workforce this week to canvas whether there is support for the port's settlement package.

MIDWEST PORT AUTHORITY - GERALDTON

In principle agreement has been reached on the new EA which goes out to vote this week.

SMIT LAMNALCO

Smit have provided members with a draft EA. The members are currently reviewing draft and will respond in coming days.

BUNBURY TUGS

Mackenzie Marine & Towage Members in Bunbury have been notified that the towage contract has now gone to Svitzer and we are in the process of working through the changeover and Svitzers new 'Svitzer Growth' EA.



NORTH WEST INSHORE DIVING

The inshore diving log of claims has been voted up by a majority of the diving membership. We will be rolling out a series of meetings with the various employers over the next several weeks and will commence negotiations shortly thereafter.



WA Divers endorse state wide industry log of claims with a 99% YES Vote!

QUBE - DAMPIER & PORT HEDLAND

The Dampier & Port Hedland EA's have now been Registered with the employees receiving an immediate 5% after copping the National position. We are now moving onto the continual local issues being, upgrades, promotions, equity of allocation and constant arguments about labour hire.

BHAGWAN MARINE & JETWAVE INSHORE

Negotiations are tracking well with Bhagwan Marine where we hope to have an outcome in the next couple of months. JetWave on the other hand appear to be hellbent on maintaining lower rates of pay and minimising job security.

WESTUG

Early discussions with Westug for new agreement were tracking well although they have now gone a bit quiet. As the current agreement is an absolute mess and is no friend of the worker we will start drafting the kind of agreement we want to see and then put it to the company.

VALE JOHN COOMBS

It was with great sadness that we learnt about the passing of John Coombs (ex-national secretary of the MUA) in early September. John was a hugely important figure in the MUA and the broader union movement in Australia and internationally.

Members in the Port of Fremantle stopped work on 9th Sep, raised the cranes and held a minute silence, as a sign of respect in honour of John. At the conclusion of the minute of silence there was a sounding of horns from all ships, machinery and cranes.

Vale John Coombs, a long life well lived. Rich in achievement and leaving an ongoing legacy of inspiration and determination in the face of any circumstance.

